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December 15, 2014

VIA ECF

The Honorable Judge Gary R. Brown
United States District Court for the Eastern District of New York
Courtroom 840
100 Federal Plaza
P.O. Box 9014
Central Islip, New York 11722-9014

**Re: *Andrew Carlin v. Davidson Fink, LLP*
 Case No. 2:13-cv-6062 (JS)(GRB)**

Dear Judge Brown:

I represent plaintiff Andrew Carlin in the above-captioned case. I am writing to request a seven (7) day extension of time, up to and including December 22, 2014, to file his brief defining who falls within plaintiff's class. This Court's Minute Order following the Civil Conference of November 13, 2014 (docket number 31) scheduled the following deadlines: plaintiff to submit the aforementioned brief by December 15, 2015, defendant to respond by January 5, 2015 and plaintiff to reply by January 12, 2015. Plaintiff further requests corresponding seven (7) day extensions of time for defendant's response, up to and including January 12, 2015, and plaintiff's reply, up to and including January 20, 2015.

Plaintiff does not seek this extension for purposes of delay. Plaintiff's counsel had a number of deadlines and obligations recently that made it difficult to work on the brief. Specifically, Plaintiff's counsel filed a motion for class certification due in *Herman v. Collecto*, SDNY 13-cv-4831-CS on December 8, 2014 and served supplemental discovery responses in *Jackson v. Caribbean Cruise Line, Inc.*, EDNY 14-cv-2485-ADS-AKT on December 10, 2014. Additionally, plaintiff's counsel filed a response to a motion to transfer and consolidate pursuant to 28 U.S.C. §1407 in *In re: Caribbean Cruise Lines, Inc.*, MDL No. 2604, on December 5, 2014 and plaintiff's counsel Tiffany N. Hardy traveled to New York for a mediation in *In re: Century 21*, EDNY 12-cv-244-BMC-MDG on December 16, 2014. Furthermore, plaintiff's counsel filed six reply briefs in support of its motions to dismiss in the cases *Jimenez v. National Collegiate Student Loan Trust*, Circuit Court of Cook County 14-M1-141487, 14- M1-141464, 14- M1-141482, 14-M1-141460, 14-M1-141459, 14-M1-141458. Finally, plaintiff's counsel, Tiffany N. Hardy was also recently diagnosed with acute bronchitis which, in conjunction with the demands of other matters, impacted her ability to work on the pending brief.

This is plaintiff's first request for an extension. Plaintiff's counsel attempted to confer with defendant's counsel about the relief requested herein but was unable to reach him.

This request is not submitted for purposes of delay. We thank the Court for its consideration of this matter.

Respectfully submitted,

s/ Tiffany N. Hardy
Tiffany N. Hardy

CERTIFICATE OF SERVICE

I, Tiffany N. Hardy, hereby certify that on December 15, 2014, a true and accurate copy of the foregoing document was filed via the Court's CM/ECF system which will send notice to the following:

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